

121 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19884-2023
Date of decision: 11.09.2023

Jasvir Singh and anotherPetitioners
V/s
State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Ramneek Vasudeva Advocate
for the petitioners.

DEEPAK MANCHANDA J. (ORAL)

The instant writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondents that the petitioners who are presently working as Sub Station Attendant (SSA) with the respondents may be granted pay band w.e.f. 01.12.2011, the benefit of which has already been granted to various other employees working with the respondents having same grade pay.

Learned counsel for the petitioners contends that petitioner No.1 was appointed as Regular Team Mate (RTM) in Operations Wing in the respondents department (PSPCL) and was posted at Distribution Sub Division PSPCL Morinda vide order dated 06.12.2012. Similarly, petitioner No.2 was appointed as Regular team mate (RTM) in Operations Wing in the respondents department and was posted at Distribution Sub Division Mohali vide order dated 01.08.2012. He submits that both the petitioners were appointed as Oil and Cleaner (OC) on 11.12.2017 and 19.06.2017 at O&M Division Mohali and worked at different stations and both were promoted as Sub Station Attendant (SSA). He further

submits that the petitioners while working as Oil Cleaner, the said post of Oil and

cleaner has been re-designated as Assistant Sub Station Attendant(ASSA) and accordingly, both the petitioners were also re-designated as ASSA w.e.f. 27.02.2023 at the grid situated in Village Boormajra, District Rupnagar and Villlage Majra, District SAS Mohali, respectively. The petitioners are praying for grant of pay-band w.e.f. 01.12.2011 which has already been granted to various other employees having same pay-band as that of the petitioners i.e. 6400-20200. Vide circular dated 01.12.2021 (Annexure P-5) the benefit of higher pay band has been granted to Group No.4,5,6,7,8,9 and 17 out of which the pay-band of Group No.4 to 9 is the same, as that of pay band of the petitioners who were earlier in Group No.3 i.e., Oil Cleaner (re-designated to the post of ASSA in year 2021) and now promoted as SSA w.e.f. 27.02.2023. However, the said pay-band has not been granted to the peittioners w.e.f. 01.12.2011 which has already been granted to various other employees of different groups. However, till date nothing has been done by respondent-Corporation to redress the grievance of the employees. Learned counsel submits that petitioners requested the respondent-Corporation on numerous occasions to consider their case for higher pay band as was granted to various other employees lower in rank to that of the petitioners, but the respondent-Corporation has failed to consider the said request given by them and to this effect, a representation was also given by the Grid Sub Station Employees Union(Punjab) to the Corporation on 11.01.2022. Learned counsel again submits that petitioners have served a legal notice dated 16.05.2023 (Annexure P-9) to respondents, which has not been taken into consideration till date and the petitioners would be satisfied if necessary directions are given for deciding the legal notice in a time bound manner.

Notice of motion.

At this stage, on asking of the Court, Mr. Arun Gupta, AAG Punjab, who is present in the Court, accepts notice on behalf of the respondents No.1 and Mr. Gurnoor Singh Sethi, Advocate has put in appearance on behalf of respondents No. 2 to 5 by filing his *memo of appearance*, and do not object to the prayer made by learned counsel for the petitioners.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioners in the legal notice dated 16.05.2023 (Annexure P-9), respondents are directed to decide the legal notice, by passing a speaking order within a period of 8 weeks from the date of receipt of certified copy of this order with a further direction that if the petitioners are found to be entitled to the claim mentioned in the abovesaid legal notice, necessary disbursement of funds shall be made to them within a period of 8 weeks thereafter.

The petition stands disposed of.

11.09.2023
Sapna

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No